

IN THE SENATE OF THE UNITED STATES.

MARCH 18, 1880.—Ordered to be printed.

Mr. WITHERS, from the Committee on the District of Columbia, submitted the following

REPORT:

[To accompany bill H. R. 1381.]

The Committee on the District of Columbia, having examined the provisions of Senate bill 926 and House bill 1381, report back the latter to the Senate with amendments.

This bill provides for the construction of a free bridge across the Potomac River at or near Georgetown. More than three thousand petitioners have heretofore memorialized Congress on this subject, stating their grievances and requesting relief. It appears that under the provisions of various acts of Congress all the bridges which afford access to the city of Washington have been purchased by the United States and thrown open to the public with the exception of the Aqueduct Bridge, upon which tolls alleged to be exorbitant are collected, to the inconvenience and positive detriment of the citizens of Washington and the country lying south of it, especially the people of Alexandria and Fairfax Counties, in Virginia, who, being largely engaged in the dairy and trucking business, require constant intercourse with their customers in this city and Georgetown.

The soundness of the policy which seeks to remove all unnecessary barriers to personal and commercial intercourse between the residents of a large and rapidly-growing city and surrounding country having been fully recognized by Congress in the various acts passed for the purchase of all other bridges in the immediate vicinity of Washington, and declaring them free bridges, the committee cannot doubt that similar action will be taken in this case.

The aqueduct and bridge is the property of the Alexandria Canal Company, a corporation created by act of Congress in 1830 for the purpose of extending the Chesapeake and Ohio Canal from its terminus at or near Georgetown to the city of Alexandria, and Congress reserved to itself no power of repeal. Subsequently, to wit, in 1832, an act was passed directing the Secretary of the Treasury to pay to the president and directors of the Alexandria Canal Company the sum of one hundred thousand dollars, to be applied to the construction of an aqueduct across the Potomac River at or near Georgetown. Subsequently, upon the petition of the city of Alexandria, an additional appropriation of three hundred thousand dollars was made for the completion of the aqueduct and the canal to Alexandria, upon certain conditions enumerated in the act making appropriations for harbors approved March 30, 1837, as follows:

SEC. 2. *And be it further enacted*, That when the corporate authorities of Alexandria shall deposit the stock held by them in the Alexandria Canal Company in the

hands of the Secretary of the Treasury, with proper and competent instruments and conveyances in law to vest the same in the Secretary of the Treasury and his successors in office, for and in behalf of the United States, to be held in trust, upon the same terms and conditions in all respects as the stock held in the Chesapeake and Ohio Canal by the several cities of the District was required to be held in and by virtue of the act approved on the seventh day of June, 1836, entitled "An act for the relief of the several corporate cities of the District of Columbia," that the Secretary of the Treasury be, and he is hereby, authorized and directed to advance, out of any moneys in the Treasury not otherwise appropriated, to the Alexandria Canal Company, from time to time as the progress of the work may require the same, such sums of money, not exceeding three hundred thousand dollars, as may be necessary to complete the said canal to the town and harbor of Alexandria.

The title of the Alexandria Canal Company to this property, and particularly to the aqueduct, has been twice adjudicated by the United States courts, and affirmed by the decision of an undivided court.

After the close of the war, the trunk of the canal across the aqueduct having fallen into decay, and the impoverished condition of the company rendering it unable to provide the funds necessary to repair it, under legal sanction and with the approval of the stockholders a lease of the property for ninety-nine years was made to certain parties, who have repaired the canal and bridge, and now hold and exercise all the rights of the company under the conditions and limitations of said lease. This lease was effected in May, 1866, and was in 1867 ratified and confirmed by the legislature of Virginia.

Inasmuch as the aqueduct piers, constructed at an expenditure of more than one hundred thousand dollars, are in excellent condition, and the site of the aqueduct is in every respect the most suitable location for a bridge, the present military road to Arlington and the National Cemetery passing over it, the committee have amended the House bill by giving authority to the Secretary of War to purchase of the lessees and of the Alexandria Canal Company, for the sum of \$100,000, this aqueduct and bridge, under the conditions prescribed by the Revised Statutes of the United States, or to construct a new bridge, at his discretion.